

Remarks

Claims 1-11, 13, 17 and 19-22 were previously canceled. Thus, claims 12, 14-16, and 18 remain pending in the application.

Claim 12 has been amended to further clarify that coating material is a cellulosic material and the cellulosic materials are solid particles, porous particles, or an agglomeration of particles. The cellulosic particles of coating material are also granulates, pulverulents, powders, or spheres. Support for this amendment can be found throughout the specification including at page 5, lines 4-21. No new matter has been added.

New claim 23 depends from claim 12 and further requires that the association agent and the crosslinking reagent are simultaneously applied. Support for this amendment can be found throughout the specification including the sentence bridging pages 5 and 6. No new matter has been added.

Pursuant to 37 C.F.R. § 1.114, reconsideration of the present application in view of the foregoing amendments and remarks and the following response is respectfully requested.

Response to Rejections

Claims 12, 14, and 16 have been rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 4,734,478 to Tsubakimoto et al. (hereinafter “Tsubakimoto”) for the reasons of record set forth in paragraph 5 of the Office Action mailed on 8/20/2008. This rejection is respectfully traversed as applied to the presently amended claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met:

(1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP §2143. The application of the “teaching, suggestion, or motivation” (TSM) test is not “rigid.” However, “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness” *KSR Int’l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)) (emphasis added).

Applicants’ currently amended claim 12 requires, *inter alia*, that

1. the coating material include particles of cellulosic material that are solid particles, porous particles, or an agglomeration of particles
2. the cellulosic particles of coating material are granules, pulverulents, powders, or spheres.

Tsubakimoto fails to teach or suggest these claim limitations and thus fails to render claim 12 and those claims depending therefrom obvious for at least this reason. To wit, Tsubakimoto discloses the use of water alone or a mixture of water with a water-miscible organic solvent as the aqueous liquid. (See e.g., Col. 5, lines 67-68). Tsubakimoto also discloses using water-soluble polymers such as carboxymethyl cellulose and hydroxyethyl cellulose dissolved in the mixture of water or other compounds. (See e.g., Col. 6, lines 6-10 and 26-30). As such, the carboxymethyl cellulose and hydroxyethyl cellulose of

Tsubakimoto are in solution and are not “a solid particle, porous particle, or an agglomeration of particles” and are not a “granule, pulverulent, powder, or sphere” as required by the currently amended claims. Thus, Tsubakimoto fails to teach or suggest the coating material as claimed.

Applicants respectfully request that this rejection be withdrawn for at least this reason.

Claims 12 and 14-16 and 18 have been rejected under 35 U.S.C. §103(a) as being obvious unpatentable over Tsubakimoto in view of U.S. Patent No. 6,376,011 to Reeves et al. (hereinafter “Reeves”) for the reasons of record set forth in paragraph 6 of the Office Action mailed on 8/20/2008. This rejection is respectfully traversed as applied to the presently amended claims.

As discussed above Tsubakimoto fails to render Applicants’ claims obvious because Tsubakimoto fails to teach or suggest the coating material as claimed. Claims 12 and 14-18 depend from claim 12 and are patentably distinct over Tsubakimoto for at least the same reason. Reeves was added to teach that heated air may be used for coating SAP particles in a fluidized bed. Reeves was not added to cure the defects of Tsubakimoto as discussed above. Thus, no *prima facie* case of obviousness has been established with regard to currently amended claims 12 and 14-18 in view of the combination of Tsubakimoto and Reeves.

Applicants respectfully request that this rejection be withdrawn for at least this reason.

For the reasons stated above, it is respectfully submitted that all of the presently presented claims are in form for allowance.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (920) 721-3016.

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Response dated April 13, 2009
Reply to Office Action of January 13, 2009

Respectfully submitted,

WILLIAM G. REEVES ET AL.

By: / David J. Arteman /

David J. Arteman

Registration No. 44,512

Attorney for Applicant(s)

ELECTRONIC FILING CERTIFICATE

I hereby certify that this correspondence and all attachments and any fee(s) are being electronically transmitted via the internet to the United States Patent and Trademark Office using the Electronic Filing System on April 13, 2009.

/JudithMAnderson/

Signature

Judith M. Anderson

Typed Name